

REMARKS

Claims 1-14 remain in the application and stand subject to a restriction requirement. Only claim 1 is in independent form. More specifically, the Examiner has restricted the application to one of the following inventions:

- Group I, claims(s) 1 and 2, drawn to a composition with block copolymer A.
- Group II, claim(s) 3, drawn to composition comprising block copolymer A and block copolymer B.
- Group III, claim(s) 4 and 5, drawn to a composition comprising block copolymer A and silicone compound C.
- Group IV, claim(s) 6, drawn to a composition comprising block copolymer A and surface-acting agent D.
- Group V, claim(s) 7, drawn to a composition comprising block copolymer A and surface-acting agent E.
- Group VI, claim(s) 8, drawn to a composition comprising block copolymer A and a water soluble polymer F.
- Group VII, claim(s) 9, drawn to a composition comprising block copolymer A and liquid cyclic silicone G.
- Group VIII, claim(s) 10, drawn to a composition comprising block copolymer A and liquid chain silicone H.
- Group IX, claim(s) 11, drawn to a composition comprising block copolymer A and liquid isoparaffin-type hydrocarbon (I).
- Group X, claim(s) 12, drawn to a composition comprising block copolymer A and liquid or hard ester oil (J).
- Group XI, claim(s) 13 and 14, drawn to a composition comprising block copolymer A and a solvent.

In response to this restriction, the Applicant elects Groups II.

Referring now to Page 4 of the Examiner's Office Action, since the Applicant has elected Group II, the Examiner contends that a species election is required.

With respect to block copolymer A and its claim structure, the Applicant elects:

- each R¹ to independently be a univalent hydrocarbon group free of aliphatic unsaturation;
- Y¹ is already defined in claim 1; and
- each R² to independently be a group represented by the following formula - Y¹ - O - (C₂H₄O)_{b1} (C₃H₆O)_{b2} - Y².

Furthermore, in terms of the presence or absence of optional moieties, the Applicant elects that b2 is zero such that the group C₃H₆O shall be treated as an optional component. Therefore, for the purposes of the Examiner's examination, the Examiner should treat the group C₃H₆O, not C₈H₆O, as absent.

With respect to block copolymer B and its claim structure, the Applicant elects:

-each R³ to independently be substituted or unsubstituted univalent hydrocarbon groups;

-Y³ is already defined in claim 3; and

-each R⁴ to independently be a group represented by the following formula - Y³ - O - (C₂H₄O)_{b3} (C₃H₆O)_{b4} - Y⁴.

Furthermore, in terms of the presence or absence of optional moieties, the Applicant elects that b3 and b4 are both independently integers greater than zero such that the groups C₂H₄O and C₃H₆O shall be treated as a non-optimal component. Therefore, for the purposes of the Examiner's examination, the Examiner should treat the groups C₂H₄O and C₃H₆O as present.

Finally, with respect to c', the Applicant elects that c' is an integer greater than zero.

As for claims readable on the elected species, claims 1 and 3 apply and have been retained by the Applicant for prosecution on the merits. Additionally, the Applicant respectfully contends that the following claims also fall under the scope of the elected species in claims 1 and 3: claims 2 and 5-14. The Applicant also reserves the right of rejoinder pending the allowance of a generic claim.

Finally, the Applicant respectfully notes the grammatical amendments made to portions of the specification and to claims 1 and 3 correcting certain typographical errors. No new matter has been introduced as a result of these corrections.

Although no fees are believed due, the Commissioner is authorized to charge Deposit Account No. 08-2789 for any fees or to credit the account for any overpayment.

Respectfully submitted,
HOWARD & HOWARD ATTORNEYS, P.C.

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